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Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Seventy-third year

Identical letters dated 14 December 2018 from the Permanent Observer of the State of Palestine to the United Nations addressed to the Secretary-General, the President of the General Assembly and the President of the Security Council

I am writing today to draw urgent attention to the dangerous deterioration of the situation on the ground in the Occupied Palestinian Territory, including East Jerusalem, as Israel, the occupying Power, continues to act in a lawless and aggressive manner, fuelling a new cycle of violence, intensifying inflammatory rhetoric and incitement, causing more civilian casualties, including by the perpetration of extrajudicial killings, and further entrenching its illegal colonial occupation, in grave violation of international law and relevant United Nations resolutions.

As the present letter is being written, Israeli occupying forces continue to carry out violent military raids in Palestinian villages, towns, cities and refugee camps, terrorizing the civilian population, harming civilian life, and arresting and detaining more people, especially young males. In recent days, several Palestinian civilians have been hunted down and killed by Israeli occupying forces in punitive, extrajudicial military operations aimed at exacting revenge on the population following the killing of three Israeli soldiers. In just a 24-hour timespan, Israeli occupying forces carried out the execution of four Palestinian civilians: Ashraf Naalweh (age 23), Salah Omar Barghouti (age 29), Hamdan Tawfiq al-Ardah (age 60) and Majd Muteir.

These operations have been carried out in conjunction with countless raids by the occupying forces and armed, extremist settlers, who persist in their rampages under the protection of the occupying forces with absolute impunity for their attacks on the defenceless Palestinian civilian population and the destruction they are systematically and deliberately causing in their terror campaign. This has included attacks on various villages, such as in the Nablus area or in Ayn Yabrud, in the occupied West Bank, where settlers opened gunfire on Palestinian homes, all while being accompanied by the occupying Israeli army. In several instances, attacks by settler militias have provoked clashes with Palestinian civilians seeking to defend and protect themselves from the occupation's barbarity.

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In this regard, we must recall that such brutal attacks against the Palestinian civilian population constitute, inter alia, grave breaches of article 33 of the Fourth Geneva Convention, which clearly states that "no protected person may be punished for an offense he or she has not personally committed. Collective penalties and likewise all measures of intimidation or of terrorism are prohibited. Pillage is prohibited. Reprisals against protected persons and their property are prohibited".

In addition to the occupying Power's military raids, inflammatory rhetoric and incitement by the Israeli government and military continue to foster a dangerous environment, further encouraging violence towards the Palestinian people and their leadership, including continuing hateful rhetoric specifically targeting Palestinian President Mahmoud Abbas and threatening his life. Such incitement and provocation must be condemned and must be halted by the Israeli government, which is responsible for any harm done to President Abbas and the people of Palestine.

At the same time, I must draw your attention to the occupying Power's continuing illegal colonization of occupied Palestinian land, using every pretext and excuse, including as a means of collective punishment for acts of violence, which cannot in any way justify this unlawful behaviour, including in particular in and around Occupied East Jerusalem. In this regard, the Israeli Prime Minister has cynically and provocatively announced his intentions to entrench thousands of Israeli settlement units in the occupied West Bank through so-called "legalization" measures and is pursuing the construction of 82 new housing units in the illegal settlement of Ofra, near where certain incidents of violence occurred earlier this week, as well as two new industrial zones near the illegal settlements of Avne Hefetz and Beitar Elit.

As we approach the second anniversary of the Security Council's adoption of resolution 2334 (2016), it is also imperative to recall the Council's explicit reaffirmation that Israel's settlement activity constitutes a "flagrant violation" of international law and has "no legal validity" and the Council's demand that Israel immediately and completely cease all settlement activities in the Occupied Palestinian Territory, including East Jerusalem, and that it fully respect all its legal obligation in this regard. Israel's contempt of the Council cannot go unanswered, for it is apparent that failure to hold the occupying Power accountable will only embolden it to continue its illegal settlement campaign throughout the Palestinian land, regardless of international law, United Nations resolutions and the will of the international community.

We must also recall that, just one week ago, on 6 December, the General Assembly resoundingly reaffirmed the international consensus in this regard with the adoption of resolution 73/89, presented by Ireland and entitled "Comprehensive, just and lasting peace in the Middle East". In that resolution, the Assembly explicitly reiterated its call for "the achievement, without delay, of a comprehensive, just and lasting peace in the Middle East on the basis of the relevant United Nations resolutions, including resolution 2334 (2016) of 23 December 2016, the Madrid terms of reference, including the principle of land for peace, the Arab Peace Initiative and the Quartet road map, and an end to the Israeli occupation that began in 1967, including of East Jerusalem", reaffirming the longstanding, internationally endorsed basis for a just and lasting solution to the Israeli-Palestinian conflict, as well as the international community's unwavering support for the two-State solution of Israel and Palestine, living side by side in peace and security within recognized borders, based on the pre-1967 borders.

We call urgent attention to the above-mentioned Israeli violations – of illegal settlement construction expansion, killing of Palestinian civilians, collective punishment of the Palestinian population and incitement against the Palestinian people and their leadership – and the dangerous consequences should they persist.

The international community, including the Security Council, must act responsibly to convey a clear message to Israel, the occupying Power, that all such illegal policies and practices must be ceased and that Israel will be held fully accountable for its failure to comply with international law and the relevant United Nations resolutions. We appeal to the Security Council to act with urgency to address this critical situation, in line with its duties under the Charter of the United Nations and its own resolutions, including in particular resolution 2334 (2016), including the necessary measures to ensure the protection of the Palestinian civilian population under this cruel and illegal Israel occupation.

The present letter is in follow-up to our 652 letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, which constitutes the territory of the State of Palestine. Those letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 11 December 2018 (A/ES-10/803-S/2018/1107) constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all those war crimes, acts of State terrorism and systematic human rights violations being committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

I should be grateful if you would arrange to have the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad **Mansour**
Ambassador
Permanent Observer of the State of Palestine to the United Nations